

REMARKS

In the March 23, 2005 Office Action, the Examiner:

- Rejected claims 1, 2, and 4 under 35 U.S.C. § 102(b) as being anticipated by Glover, Jr. et al. (“*Glover*”, U.S. Pat. No. 4,114,518); and
- Objected to claims 4 and 5 due to formalities.

Applicant amends claims 1 and 4, and cancels claim 5. No new matter has been added. The pending claims are claims 1, 2, 4, 6, and 7. Applicant believes that this amendment is proper for entry pursuant to 37 C.F.R. § 1.116(b) because it cancels claims and complies with the form set forth in the prior Office Action.

Claim Objections

The Examiner objected to claims 4 and 5 due to formalities. Applicant has incorporated the Examiner’s suggestions in the amendments to the claims.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected claims 1, 2, and 4 under 35 U.S.C. § 102(b) as being anticipated by *Glover*. Applicant, however, respectfully traverses this rejection, in light of the amendments.

Applicant amends claims 1 and 4 to recite that the present invention discloses at least two recesses, which extend in a circumferential direction and that the location of such recesses are diametrically opposite from each other. The Examiner states that *Glover* discloses “two recesses 18 which extend along the circumference of the piston and have angled end walls 38, which slant upwardly as the extend outwardly.” However, *Glover* does not disclose that such recesses are diametrically opposed to each other. Therefore, since Applicant has amended the claims to further recite that the recesses are diametrically opposed to each other, such claims are not anticipated by *Glover*.

In light of the above, it is respectfully submitted that *Glover* does not disclose, teach, or suggest all of the limitations of independent claims 1 and 4. Accordingly, *Glover* cannot anticipate any of the independent claims or any of the claims that depend there from. Furthermore, because claim 2 depends from independent claim 1, *Glover* also does not anticipate claim 2. Applicant respectfully requests withdrawal of this rejection.

Allowable Subject Matter

The Examiner has noted that claim 5 would be allowable if re-written in independent form including all the limitations of the base claim and any intervening claims. Therefore, claim 5 has been canceled and incorporated into independent claims 1 and 4. Applicant believes that the aforementioned independent claims are now allowable and therefore respectfully requests the withdrawal of this rejection.


CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is now in a condition for allowance. However, should the Examiner believe that the claims are not in condition for allowance, the Applicant encourages the Examiner to call the undersigned attorney at (415) 442-1106 to set up an interview.

If there are any fees or credits due in connection with the filing of this Amendment, including any fees required for an Extension of Time under 37 C.F.R. § 1.136, authorization is given to charge any necessary fees to our Deposit Account No. 50-0310 (order No. 060943-0055-US). A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

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